

UNITED STATES COURT OF APPEALS    FILED  
FOR THE FIFTH CIRCUIT

March 14, 2007  
Charles R. Fulbruge III  
Clerk

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No. 06-41094  
Summary Calendar

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D.C. Docket No. 2:05-CV-280

United States Courts  
Southern District of Texas  
FILED

APR 17 2007

ERIC A GONZALES

Michael N. Milby, Clerk of Court

Plaintiff - Appellant

v.

H E BUTT GROCERY CO; H E B GROCERY COMPANY LP;  
GENERAL PARTNER HEBCO GP; IRMA CABRERA

Defendants - Appellees

Appeal from the United States District Court for the  
Southern District of Texas, Corpus Christi.

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and the  
briefs on file.

It is ordered and adjudged that the judgment of the District  
Court is affirmed.

IT IS FURTHER ORDERED that plaintiff-appellant pay to  
defendants-appellees the costs on appeal to be taxed by the Clerk  
of this Court.

ISSUED AS MANDATE:    *APR 05 2007*

A True Copy  
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: *Debra A.*  
Deputy

New Orleans, Louisiana *APR 05 2007*